

REMARKS

Status of Claims:

Claims 1-2, 5-6, 9-10, and 13-15 remain pending in the application. Claim 1 is currently amended to ensure proper antecedent basis for a claim term. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

Claim Rejections:

Claims 1-2, 5-6, 9-10, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424). In the rejection, the Examiner provided U.S. Patent No. 5,514,424 for the Kenney reference, but Applicant believes that the Kenney reference is actually U.S. Patent No. 5,515,424.

With respect to claims 1-2, 5-6, 9-10, and 13-15, the rejection is respectfully traversed.

Independent claim 1, as amended, recites an advertisement system comprising:

“a portable telephone communication terminal capable of communicating with other portable telephone communication terminals utilizing a display on said portable telephone communication terminal, and capable of automatically displaying an advertisement on said display when said display is operating in a standby mode;

a terminal management device for managing said portable telephone communication terminal; and

a plurality of advertisement broadcast devices, each advertisement broadcast device of the plurality of advertisement broadcast devices capable of storing advertisement data provided by a corresponding advertisement broadcaster of a plurality of advertisement broadcasters;

wherein said terminal management device comprises:

notification means for, when a registration request including first information representing that said portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of said plurality of advertisement broadcasters designated by said portable telephone communication terminal is issued by said portable telephone communication terminal, notifying an advertisement broadcast device of the plurality of advertisement broadcast devices to which the selected advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information,

registration means for registering the first information and the second information when said advertisement broadcast device sends registration acceptance in response to the registration request notification from said notification means, and

display control means for, when advertisement data is received from said advertisement broadcast device which is a registration acceptance notification source, transmitting, without intervening action from a user of the portable telephone communication terminal, the received advertisement data to said portable telephone communication terminal on the basis of the registered first information and the registered second information;

wherein the portable telephone communication terminal is configured to automatically receive the advertisement data from the terminal management device and is configured to automatically display the advertisement data on the display of said portable telephone communication terminal when said display is operating in said standby mode; and

wherein the advertisement broadcast device is able to transmit the advertisement data to the terminal management device at arbitrary times after the advertisement broadcast device sends the registration acceptance in response to the registration request notification.” (Emphasis Added).

Neither Nakamura nor Kenney, alone or in combination, disclose or suggest an advertisement system including the above-quoted features for at least the following three reasons.

First, neither Nakamura nor Kenney, alone or in combination, disclose or suggest an advertisement system including a terminal management device with the claimed "notification means for, when a registration request including first information representing that said portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of said plurality of advertisement broadcasters designated by said portable telephone communication terminal is issued by said portable telephone communication terminal, notifying an advertisement broadcast device of the plurality of advertisement broadcast devices to which the selected advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information". (Emphasis Added).

The Examiner points to the exchange 4 of Nakamura as being a terminal management device of the present claim 1. (Office Action; page 2). The Examiner then points to steps 1301 and 1302 in the Nakamura reference as disclosing the notification means of the terminal management device of the advertisement system claimed in claim 1. (Office Action; pages 2-3).

However, steps 1301 and 1302 in the Nakamura reference neither disclose nor suggest the claimed feature of "notification means for, when a registration request including first information representing that said portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of said plurality of advertisement broadcasters designated by said portable telephone communication terminal is issued by said portable telephone communication terminal, notifying an advertisement broadcast device of the plurality of advertisement broadcast devices to which the selected advertisement broadcaster corresponds of the registration request including the first information in accordance with the second information". (Emphasis Added) (Nakamura; FIG. 22, steps 1301 and 1302).

Steps 1301 and 1302 are shown in FIG. 22 of the Nakamura reference. Step 1301 states, "Some telephone set under contract in this month and in free state?" Step 1302 states, "Present point of time within contracted time zone?" Neither step 1301 nor step 1302 disclose or suggest a registration request issued by a portable telephone communication terminal that includes first information representing that the portable telephone communication terminal is an automatic advertisement display terminal and second information representing a selected advertisement broadcaster of a plurality of advertisement broadcasters. Moreover, neither step 1301 nor step 1302 in Nakamura disclose or suggest that the exchange 4 notifies an advertisement broadcast device of a registration request. (Nakamura; FIG. 22, steps 1301 and 1302). Indeed, in steps 1301 and 1302 of Nakamura, the exchange 4 does not perform any notification function. (Nakamura; FIG. 22, steps 1301 and 1302).

Kenney does not cure the deficiencies with respect to the teachings of the Nakamura reference, because Kenney similarly neither discloses nor suggests an advertisement system including a terminal management device with the claimed notification means. (Kenney; abstract).

Second, neither Nakamura nor Kenney, alone or in combination, disclose or suggest an advertisement system including a terminal management device with the claimed "registration means for registering the first information and the second information when said advertisement broadcast device sends registration acceptance in response to the registration request notification from said notification means". (Emphasis Added). The Examiner points to steps 1301 and 1302 of the Nakamura reference as disclosing the registration means of the present claim 1. (Office Action; page 3).

However, steps 1301 and 1302 of the Nakamura reference neither disclose nor suggest a registration means for registering first information and second information when an advertisement broadcast device sends registration acceptance in response to a registration request notification from a notification means. (Nakamura; FIG. 22, steps 1301 and 1302). Indeed, the exchange 4 in the system of Nakamura never receives a registration acceptance in response to a registration request. (Nakamura; FIG. 22). Step 1301 merely states, "some

telephone set under contract in this month and in free state?" Step 1302 merely states, "present point of time within contracted time zone?" Neither step 1301 nor step 1302 disclose or suggest a registration acceptance or registering information when an advertisement broadcast device sends registration acceptance in response to a registration request notification from the exchange 4. (Nakamura; FIG. 22, steps 1301 and 1302).

It is important to understand that the advertisement apparatuses 5, 6, and 7 in the system of Nakamura never receive registration requests from the exchange 4. (Nakamura; FIG. 2). It is also important to understand that the advertisement apparatuses 5, 6, and 7 in the system of Nakamura never send registration acceptance in response to a registration request. (Nakamura; FIG. 2). Instead, prior to steps 1301 and 1302 in the system of Nakamura, a subscriber telephone set must conclude a contract with a communication undertaker, which is different from the exchange 4 and the advertisement apparatuses 5, 6, and 7. (Nakamura; column 24, lines 23-28). No registration request is ever sent to the advertisement apparatuses 5, 6, or 7 in the system of Nakamura. (Nakamura; columns 24-25). Also, the only advertisement apparatus used after steps 1301 and 1302 in Nakamura is the advertisement apparatus 6, and the advertisement apparatus 6 only transmits advertisement information. (Nakamura; column 25). As a consequence, the advertisement apparatus 6 never sends a registration acceptance in response to a registration request. (Nakamura; columns 24-25).

Kenney does not cure the deficiencies with respect to the teachings of the Nakamura reference, because Kenney similarly neither discloses nor suggests an advertisement system including a terminal management device with the claimed registration means. (Kenney; abstract).

Third, neither Nakamura nor Kenney, alone or in combination, disclose or suggest an advertisement system with the claimed feature, "wherein the advertisement broadcast device is able to transmit the advertisement data to the terminal management device at arbitrary times after the advertisement broadcast device sends the registration acceptance in response to the registration request notification." The Examiner points to Kenney, column 4,

lines 27-32, as disclosing such a feature. However, column 4, lines 27-32 of the Kenney reference merely states the following:

“In a conventional telephone network system, the monitor 18 would display informational screens for a period of 8-10 seconds each when the phone is not in use. These still images are stored in a memory module 38, which could be a disk drive, in the phone. In some cases, the data could be downloaded from a central administration point.” (Kenney; column 4, lines 27-32) (Emphasis Added).

The above-quoted portion of the Kenney reference merely indicates that a monitor of a phone displays informational screens for a period of 8-10 seconds each, where the images are stored in a memory module in the phone, and where the data could be downloaded from a central administration point. (Kenney; column 4, lines 27-32). The above-quoted portion of Kenney neither discloses nor suggests an advertisement broadcast device transmitting advertisement data to the central administration point at arbitrary times after sending registration acceptance in response to a registration request notification. (Kenney; column 4, lines 27-32). Displaying stored images on a monitor of a phone is completely different from transmitting advertisement data from an advertisement broadcast device to a terminal management device. (Kenney; column 4, lines 27-32). Moreover, there is no registration request sent to an advertisement broadcast device and there is no registration acceptance from an advertisement broadcast device in the system of Kenney. (Kenney; column 4, lines 27-32).

Nakamura does not cure the deficiencies with respect to the teaching of Kenney, because Nakamura similarly neither discloses nor suggests an advertisement broadcast device transmitting advertisement data to a terminal management device at arbitrary times after sending registration acceptance in response to a registration request notification. (Nakamura; abstract). In the system of Nakamura, the advertisement apparatus 6 only transmits advertisement information when controlled by the exchange 4 to start the transmission of the advertisement information. (Nakamura; column 25, lines 10-15).

Therefore, independent claim 1 is neither disclosed nor suggested by the Nakamura and Kenney references, alone or in combination, and thus is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 5 recites an advertisement display method with features similar to features of an advertisement system of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 9 recites a storage medium storing an advertisement display program for causing a computer to execute a process with features similar to features of an advertisement system of independent claim 1 and, thus, is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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